

1 Michael S. Biggs, Esq. SBN: 237640

2 BIGGS LAW PC

3 Post Office Box 454

4 Petaluma, CA 94953-0454

5 (707) 763-8000 Telephone

6 (707) 763-8010 Facsimile

7 Attorney for Plaintiffs

8 PINOLEVILLE POMO NATION, et al

9 **UNITED STATES DISTRICT COURT**

10 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

11 PINOLEVILLE POMO NATION,
12 PINOLEVILLE POMO NATION
13 ENVIRONMENTAL ASSOCIATION AND
14 LEONA WILLIAMS,

15 Plaintiffs,

16 v.

17 UKIAH AUTO DISMANTLERS, WAYNE
18 HUNT ISABEL LEWRIGHT, WARRIOR
19 INDUSTRIES, INC., RICHARD MAYFIELD,
20 ROSS JUNIOR MAYFIELD, PAULA
21 MAYFIELD, KENNETH HUNT, U.S.
22 ALCHEMY CORPORATION AND DOES 1-
23 50, INCLUSIVE,

24 Defendants.

Case No.: C 07 2648

**DECLARATION OF DAVID EDMUNDS
IN SUPPORT OF PRELIMINARY
INJUNCTION IN SUPPORT OF
PRELIMINARY INJUNCTION
IN RESPONSE TO RICK MAYFIELD
DECLARATION**

Date: 06/25/08

Time: 1:30 P.M.

Dept: Courtroom C, 15th Floor

Judge: Susan Illston

25 I, DAVID EDMUNDS, declare as follows:

- 26 1. I am employed by the Pinoleville Pomo Nation (PPN) as an environmental director and
27 have been employed in that capacity since June 1, 2007. I have the following training and
28 experience in environmental issues: I have a doctorate in Geography with specializations

1 in natural resources, cultural ecology and international development, and have been
2 working for more than 20 years in the areas of community development and natural
3 resource management. During my career, I have received training in basic ecology and
4 the environmental sciences, and have developed an understanding of the regulatory
5 framework for environmental issues on American Indian lands.

- 6 2. In my professional experience there are several factors that this court must consider in
7 identifying the source of pollution that is on the property Chairperson Leona Williams
8 and Nancy Williams, which is federal allotted land meaning land held in trust by the
9 United States of America for the benefit of specific tribal members. In this case, it would
10 be the Leona and Nancy Williams.
- 11 3. While acting in my official capacity, I have had consultations with United States Fish &
12 Wildlife and Indian Health Services managed by the United States Health and Human
13 Services. These agencies have indicated to me that the source of flooding on the
14 Williams's property is from storm water runoff passing through the various dismantlers
15 on the PPN land. My own observations during heavy rainstorms confirm this information.
- 16 4. I have personally read and reviewed reports from U.S. Fish and Wildlife study that
17 indicate rarely will flood waters from Ackerman Creek reach the height of the levees
18 where the cars are cabled together. The report states in fact that PPN can take them out
19 with minimal risk of flooding, even as rip rap and vegetation is establishing a
20 replacement barrier. Every year there is storm water runoff from properties owned by
21 Ukiah Auto Dismantler and the Mayfields. My personal observations and my expertise
22 agrees with the U.S. Fish & Wildlife study and, for this reason, I am incorporating that
23 study as a basis for my expert opinion.
- 24 5. Every vehicle that is so cabled that I have seen consist of the car bodies only, meaning
25 the metal shell. Any cars that might have contained such fluids (if in fact they did) were
26 placed in the levee more than 50 years ago.
- 27 6. Therefore, it seems unlikely that they would be the source of soil surface contamination
28 after so many years.

I declare under the penalty of perjury that the foregoing is true and correct except to those
matters based on information and belief, and to those I believe them to be true. Executed
in Ukiah, California.

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Dated: June 18, 2008

/S/ David Edmonds

David Edmonds PhD
Environmental Director
Pinoleville Pomo Nation